IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 962 of 1998

Between:

Tapti Agro Farm,

rep., by it's Manager, Venugopal,S/o. Besanna,
R/o. Madhya Pradesh State.

..... PETITIONER

AND

1. The Union of India,

rep., by its Secretary,
Ministry of Chemicals and Fertilizers ,

(Department of Chemicals and Petro Chemicals).
2 State of Andhra Pradesh,

rep., by its Secretary, Revenue Excise Department,
Secretariat Buildings , Hyderabad.
3 The Commissioner of Prohibition and Excise ,

Govt., of Andhra Pradesh,
Gaganvihar, M.J.Road,
Hyderabad.
4 Sub-Divisional Prohibition & Excise Officer,
Khammam, Khammam District.
5 Palair Co-op Sugars Ltd., rep., by its Managing Director,
Rajeswarapuram, Khammam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issued an appropriate Writ, order or direction, declaring; a) That G.O.Ms.No.982

Revenue (Ex.III), dt.6-10-1989 issued by the 2nd respondent is ultravires his powers under the A.P.Excise Act in so far as it relates to Molasses in item 11 under the aforesaid G.O. b) That the Petitioner is entitled to purchase, lift any quality of Molasses from any body in the State of Andhra Pradesh and transport the same to it's Factory at Kadkod (V) Burhampur(T) Khandwa Dist.,M.P.State. c) To grant a mandatory Injunction restraining the 2nd and 3 Respondents, their men, agents, Servants, subordinates in any department, through out the State of Andhra Pradesh from interfering with the petitioner purchasing, lifting of any quantity of Molasses from any body in the sate of Andhra Pradesh and to transport the same to it's Factory at Kadkod (V) Burhampur(T) Khandwa Dist.,M.P.State.

Counsel for the Petitioner: Mr. A. SRINIVASA PRASAD (NOT PRESENT)

Counsel for the Respondent NO.1: Mr. RAMAKRISHNA RAO SIDDANATHI (SC FOR CG)

Counsel for the Respondents No:2 to 5 : NONE APPEARED.

The Court made the following:

ORDER:

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In spite of giving several opportunities, there is no representation on behalf of the petitioners or their counsel. Therefore, the matter is directed to be listed today under the caption 'for orders'. Even today, the learned counsel for the petitioners is not present and also there is no representation on their behalf.

2. Accordingly, the Writ Petition is dismissed for default. No costs.

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(GOPALAKRISHNA TAMADA)

13th December, 2004.

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To

1. The Secretary,

Union of India,

Ministry of Chemicals and Fertilizers ,

(Department of Chemicals and Petro Chemicals).

2. The Secretary,

State of Andhra Pradesh,

Revenue Excise Department,
Secretariat Buildings , Hyderabad.

3. The Commissioner of Prohibition and Excise,

Govt., of Andhra Pradesh,
Gaganvihar, M.J.Road,
Hyderabad.

4. The Sub-Divisional Prohibition & Excise Officer,
Khammam, Khammam District.

5. The Managing Director,

Palair Co-op Sugars Ltd.,

Rajeswarapuram, Khammam District.

6. Two CD Copies.